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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,163	02/02/2001	Ronald J. Loftus	42059-01140	9626
20350	7590	07/01/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			MILLS, DONALD L	
			ART UNIT	PAPER NUMBER
			2662	7

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/776,163

Applicant(s)

LOFTUS, RONALD J.

Examiner

Donald L Mills

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities:

Regarding claim 1, line 8, "at least one matched pair" should be corrected to *at least one pair*. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 7, the claim specifies *the router* (See claim 7, line 6.) It is unclear as to what router is being referred to, since there is no mention of a router in the previous claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 6, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Baxley et al. (US 6,657,975 B1), hereinafter referred to as Baxley.

Regarding claim 1, Baxley discloses an audio conferencing method in a hybrid network, which comprises:

At least one pair of signal transfer points, each of which is connectable to at least one other STP within the public switched telephone network wherein SS7 signals are transferred there between (Referring to Figure 1, SS7 network 60 inherently comprises redundant communication between STP pairs for SS7 signals.)

At least one switching device connectable to the at least one pair which in turn is connectable to a media gateway with its own point code (Referring to Figure 1, CACS 170 utilizes SCP 72 that connects to SS7 network 60, comprising STP pairs, and Media Gateway 90, comprising a logical address. See column 4, lines 6-8 and 15-17,) wherein the switching device controls the processing of the voice information received at the media gateway from the PSTN in response to the SS7 signals received through the at least one pair of STPs (Referring to Figure 1, CACS 170 controls signals for voice received by the Media Gateway 90 from the SS7 network according to the SS7 signals communicated by the STP pairs. See column 4, lines 11-16.)

Regarding claim 2, Baxley discloses *a first STP of the at least one pair of STP's is located at a first geographic location and a second STP of the at least one pair of STP's is located at a second geographic and a communications link is provided there between (Referring to Figure 1, SS7 network 60 inherently comprises redundant communication between STP pairs for SS7 signaling where the STP's are located at different geographically locations.)*

Regarding claim 6, Baxley discloses *the at least one switching device includes a plurality of call/media computers configured to process the SS7 received by the at least one pair of STP's and to generate control signals which are transmittable over a data network to the media gateway which provides for the voice-to-data processing* (Referring to Figures 1 and 7, CACS 170 comprises SCP 72 and SS7 Signaling Gateway 70 which process the received signals from the SS7 network, inherently utilizing a pair of STP's; and bridge server 50 receives the SS7 signals and converts the SS7 Signals to packet signals for transmission to the media gateway 90 which processes the voice to data. See column 4, lines 5-8 and column 11, lines 7-9.)

Regarding claim 7, Baxley discloses *the plurality of call/media computers are connectable to the at least one STP's through a communications network which comprises a logical A-link* (Referring to Figure 1, SCP 72 and SS7 Signaling Gateway 70 connect to SS7 Network 60 inherently comprises an A-link.)

Regarding claim 8, Baxley discloses *the communications network comprises at least one of: a local area network (LAN) and a wide area network (WAN)* (Referring to Figure 1, circuit switched network 20.)

Regarding claim 9, Baxley discloses *the plurality of call/media computers provide at least one of: class 4 and class 5 switching services* (Referring to Figure 1, conference system 100.)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-5, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baxley et al. (US 6,657,975 B1), hereinafter referred to as Baxley, in view of Pester, III (US 5,475,732), hereinafter referred to as Pester.

Regarding claim 3 as explained in the rejection statement of claim 1, Baxley discloses all of the claim limitations of claim 1 (parent claim).

Baxley does not disclose *a first switching device is in communication with the first STP at the first location and a second switching device is in connection with the second STP at the second location.*

Pester teaches SCP 68 that connects to STP1 40 and SCP 70 that connects to STP3 44 (See Figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the SCP's of Pester in the system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to SS7 networks that span multiple regions.

Regarding claim 4 as explained above in the rejection statement of claim 1, Baxley discloses all of the claim limitations of claim 1 (parent claim). Baxley further discloses *the first switching device including a switching router which is connectable over a packet transport network* (Referring to Figure 1, CACS 170 comprises a signaling gateway 75 which connects to a packet based end point. See column 8, lines 3-6.)

Baxley does not disclose *a second switching device.*

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Pester teaches SCP 68 that connects to STP1 40 and SCP 70 that connects to STP3 44
(See Figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the multiple Service Control Points of Pester in the system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to multiple packet-based networks that span different regions.

Regarding claim 5 as explained in the rejection statement of claim 1, Baxley discloses all of the claim limitations of claim 1 (parent claim).

Baxley does not disclose *the first and second switching routers are configured to transfer encapsulated SS7 messages between each of the second pair of STP's.*

Pester teaches that SS7 messages, containing the Message Transport Part (MTP) embedded in the same position, traverse the network, comprising STP1 40 and STP3 44, at all times (See column 6, lines 38-54.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the multiple STP's and SCP's of Pester in the system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to multiple packet-based networks that span different regions.

Regarding claims 10 and 17 as explained in the rejection statement of claims 1 and 11, Baxley and Pester teach all of the claim limitations of claims 1 and 11 (parent claims).

Baxley does not disclose *the at least one pair of STP's is further configured to perform lower level SS7 protocol processing and encapsulate SS7 ISUP message for transfer over an IP network.*

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Pester teaches that SS7 messages, containing Integrated Services User Part (ISUP) embedded in the signal, traverse the network (See column 6, lines 38-54.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the SS7 messages of Pester in the system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to support full SS7 service in a hybrid network.

Regarding claim 11, Baxley discloses an audio conferencing method in a hybrid network, which comprises:

Upon detection of a telephone call within the PSTN, routing SS7 information for the call to a first pair of STP's wherein the telephone call is routed over the voice trunk to a point code associated with the media gateway for providing voice-to-packet packet processing for the transmission of voice information over a data network (Referring to Figures 1 and 7, a voice call originating from GSTN 45 transmits SS7 information to SCP 72 from the SS7 network, inherently utilizing a pair of STP's; and bridge server 50 receives the SS7 signals and converts the SS7 Signals to packet signals for transmission to the media gateway 90 which processes the voice to data for transmission of the voice to packet network 110. See column 4, lines 5-8 and column 11, lines 7-9.)

Routing the SS7 information for the detected call to a first STP pair associated with the point code associated with the data gateway (Referring to Figure 1, the SS7 information is inherently routed over a first STP pair, since redundant communication between STP pairs is utilized, for data associated with the Conference System 100.)

Baxley does not disclose *further routing the call signaling information to a second pair of STP's associated with the point code for the media gateway over a plurality of B-links established between the first and second pair of STP's and processing the SS7 information at the second pair of STP's and providing to the processed information to at least one call/media gateway computers associated with the media gateway for further processing.*

Pester teaches SCP 68 and 70 that connect STP1 40 to STP3 44 and STP2 42 to STP4 46 over several B-links in which the SS7 information at STP3 44 and STP4 46 is processed by SCP 70 (See Figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the multiple SCP's and STP's with B-links of Pester in the conference system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to multiple packet and circuit-based networks that span different regions.

Regarding claim 12, the primary reference further teaches *generating call processing signals at the call/media gateway computers which in turn are transmitted over a data network to the media gateway* (Referring to Figures 1 and 7, CACS 170 comprises SCP 72 and SS7 Signaling Gateway 70 which process the received signals from the SS7 network and transmits the signals to bridge server 50, which converts the SS7 Signals to packet signals for transmission to the media gateway 90. See column 4, lines 5-8 and column 11, lines 7-9.)

Regarding claim 13 as explained in the rejection statement of 11, Baxley and Pester teach all of the claim limitations of claim 11 (parent claim).

Baxley does not disclose *a first STP of the pair of STP's is located in a first geographic location and a second STP of the pair of STP's is located at a second geographic location.*

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Pester teaches SCP 68 and 70 that connect STP1 40 to STP3 44 and STP2 42 to STP4 46 over several B-links in which the STP's are located in region 1 and region 2 (See Figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the multiple SCP's and STP's of Pester in the conference system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to multiple packet and circuit-based networks that span different regions.

Regarding claim 14 as explained in the rejection statement of claim 11, Baxley and Pester teach all of the claim limitations of claim 11 (parent claim).

Baxley does not disclose *a plurality of call/media computers are provided at the first and second locations and communications is established between the first and second locations though the use of a packet transport network.*

Pester teaches SCP 68 and 70 that connect STP1 40 to STP3 44 and STP2 42 to STP4 46 over several B-links in which the STP's are located in region 1 and region 2 (See Figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the multiple SCP's and STP's of Pester in the conference system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to multiple packet and circuit-based networks that span different regions.

Regarding claim 15 as explained in the rejection statement of claim 11, Baxley and Pester teach all of the claim limitations of claim 11 (parent claim).

Baxley does not disclose *the packet transport network is employed to transmit the SS7 signaling messages between first and second STP's.*

Pester teaches SCP 68 and 70 that connect STP1 40 to STP3 44 and STP2 42 to STP4 46 over several B-links in which SS7 signaling messages are transmitted between the STP's (See Figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the multiple SCP's and STP's of Pester in the conference system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to multiple packet and circuit-based networks that span different regions.

Regarding claim 16 as explained in the rejection statement of claim 11, Baxley and Pester teach all of the claim limitations of claim 11 (parent claim).

Baxley does not disclose *where the B-links are employed to transfer SS7 signaling messages between STP's in the SS7 network and the at least one pair of STP's.*

Pester teaches SCP 68 and 70 that connect STP1 40 to STP3 44 and STP2 42 to STP4 46 over several B-links in which SS7 signaling messages are transmitted between the STP's (See Figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the multiple SCP's and STP's of Pester in the conference system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to multiple packet and circuit-based networks that span different regions.

Regarding claim 16 as explained in the rejection statement of claim 11, Baxley and Pester teach all of the claim limitations of claim 11 (parent claim).

Baxley does not disclose *SS7 messages are both transmitted over both C-links established between the first and second STPs and over the packet transport network.*

Pester teaches SCP 68 and 70 that connect STP1 40 to STP2 42 and STP3 44 to STP4 46 over several C-links in which SS7 signaling messages are transmitted between the STP's (See Figure 1.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the multiple SCP's and STP's of Pester in the conference system of Baxley. One of ordinary skill in the art would have been motivated to do so in order to connect to multiple packet and circuit-based networks that span different regions.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L Mills whose telephone number is 703-305-7869. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 703-305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Donald L Mills

DLM

June 18, 2004

A handwritten signature in black ink, appearing to read 'J. Pezzlo', with a stylized flourish at the end.

**JOHN PEZZLO
PRIMARY EXAMINER**